

## MRS SMITH SAYS HE BROKE PROMISE

Brings Suit Against Her Father-In-Law to Recover the Sum of \$5,000.

## HOW DIVORCE WAS HEADED OFF

Promised to Give Her a House and Lot Providing She Withdrew the Action.

The case of Mrs. W. R. Smith against her father-in-law, Henry J. Smith, is on trial before a jury in Judge Morse's court today. Plaintiff seeks to recover \$5,000, the value of a home which she alleges her father-in-law promised to give her, provided she would drop the divorce proceedings against her husband and resume the marriage relations with him. Mrs. Smith, who is now only 16 years of age, testified on the stand today that after she started divorce proceedings against her husband, her father-in-law told her that if she would dismiss the same he would provide her with a suitable home either in Salt Lake or Murray and would see that she was provided for. She had the case dismissed, but she says that Mr. Smith refused to keep his promise in regard to giving her a home.

The defendant will put in the defense that there was no agreement in writing concerning the transaction, and as it involves the transfer of real estate a verbal agreement is not binding upon either of the parties to it.

## DOOLY BLOCK ACCIDENT.

Mrs. Bagshaw Seeks to Recover Damages to Extent of \$10,000.

The owners of the Dooly block have been made defendants in a damage suit filed in the district court yesterday afternoon by Harriet Russell, administratrix of the estate of Frederick Bagshaw, deceased, to recover \$10,000 damages for the death of her son, who was killed by the elevator in the building on May 29, 1904. Mrs. Bagshaw was employed as nightwatchman at the building, and in making his rounds always used the west elevator in going from floor to floor. It is alleged that while on the top floor on the above date the elevator, owing to a defect in the machinery, started to drop, and caught Bagshaw between the cage and the floor, and instantly killed him. It is alleged that the defendant was negligent in allowing the machinery to remain faulty and out of repair.

## NON-SUPPORT ALLEGED.

Two Divorce Suits Filed Today by Neglected Wives.

Margaret B. Despain filed suit for divorce in the district court today against Frank P. Despain on the ground of failure to support. They were married on Nov. 5, 1897, and have three children, of whom plaintiff seeks the custody. She also asks for a reasonable sum as alimony and attorney's fees, and costs of suit.

Suit for divorce was filed in the district court today by Rita Pepin against Alfred C. Pepin on the ground of non-support. The parties were married at Diamondville, Wyo., on Feb. 1, 1900. Plaintiff asks that her maiden name, Etta Kramer, be restored to her.

## COURT NOTES.

Suit was filed in the district court today by Roy Jones against David Kohst to quiet title to all of lot 1, block 3, Park Place addition.

In the case of Walter Bryant against John W. West, et al, a similar decree was also rendered today by Judge Hall for \$500, as against defendant West only.

The will of Henry Reiser, deceased, was admitted to probate today by Judge Hall, and Albert Reiser, Margaret V. B. Reiser and A. G. Glaugue were appointed executors without bonds, as provided in the will. The estate is valued at \$8,000.

Judgment by default in favor of plaintiff for \$1,000 was entered in the case of Frank Hyde against the Park City Gold & Copper Mining company today by Judge Hall. The action was brought to recover on a promissory note.

In the case of Walter Bryant against Sarah A. West et al, Judge Hall today rendered a decree of foreclosure of a mortgage in favor of plaintiff and against the defendant Sarah A. West only. The case against the other defendants was dismissed. The amount of the judgment is \$592.

## U. OF U. '05 CLASS.

Enthusiastic Meeting Today at Which Organization Was Perfected.

The '05 class of the University of Utah, held an enthusiastic meeting today at which they perfected the following organization: President, J. M. Cummings; vice president, Rufus Lay; secretary and treasurer, Bess Reesley; executive committee, Moses M. Nelson, Hyrum P. Snydergaard, Pearl Clark, Elsie J. Ward and Myrtle Gibson. This is the first class of the season and much interest is being taken by its members in the organization.

## BISHOP PRESTON BETTER.

Will Be Able to Travel to Salt Lake For Conference.

Bishop O. P. Miller returned to Salt Lake last night from a visit to Bishop Wm. B. Preston, who is seriously ill at his ranch in Cache valley. When asked regarding the condition of Bishop Preston, Mr. Miller said: "I found him feeling well, and improving in health. The present indications are that within twelve or fifteen days he will be well enough to move to Salt Lake."

## CIVIL SERVICE EXAMS.

Number of Good Government Positions For Young Men.

There will be civil service examinations in this city for government positions as follows: Sept. 28, assistant superintendent of construction, quartermaster's department at large, salary \$1,200; Oct. 5, foreman-packer, quartermaster's department at large, at Jeffersonville, Ind., at \$900 per year; assistant preparator, division of vertebrate paleontology, national museum, at \$450 per year; age limit, 18 to 25 years; forage-master, quartermaster's

department at large, \$640 to \$840 per annum; preparator, National museum, \$1,500 to \$1,550 per annum, age limit, 20 to 45 years; cataloger and numberer, National museum, \$500 per annum, division of hydrographic paleontology.

## CAPTAIN AUBLE HERE.

Member of Los Angeles Police Force Visits Salt Lake.

Capt. W. H. Auble, of the Los Angeles police force, accompanied by his wife, arrived in Salt Lake this morning. They are on their way to St. Louis, where they will visit for several days. Capt. Auble called at police headquarters this morning, and met Chief Lynch and Capt. Burbridge.

## DARING BURGLARY.

Two Armed Men Break Into Residence Of L. C. Glosz.

A daring burglary was nearly operated to a successful issue at 4 o'clock this morning by two armed men at the residence of L. C. Glosz, 214 north State. Mr. Glosz was awakened by mysterious sounds in the house, and upon proceeding to investigate a voice in the darkness required him to forfeit his keys to keep quiet under the quilts unless he desired to be shot. The man then stood guard at the bedroom door while his companion proceeded to ransack the house. After a few moments of silence, Mr. Glosz plucked up courage and yelled lustily for help. A proceeding which awakened John H. Cummock, who with Adolph Anderson went to the house to inquire the cause of the tumult. Mr. Anderson stood guard, while Mr. Cummock entered the residence. By this time, however, the burglars had gone, leaving their plunder behind.

Meanwhile the police had arrived on the scene but there were no clues left around to work on.

## LATE LOCALS.

The steel work of the Dooly annex is being set up.

President Houston of the Real Estate association showed Mr. Mahler about the city today, in his automobile.

State Engineer Doremus will shortly spend a week in examining the sources of water supply in Emery and Carbon counties.

The principals and teachers of the city schools are receiving their salaries for the first two weeks of the term. The amount of the payrolls is \$14,868.99.

The last of the Saturday organ recitals in the Tabernacle will be held tomorrow afternoon, with the Concert Overture by Paikien as the principal number on the program.

Showers and cooler weather are promised for tonight and tomorrow, as there is a storm center moving this way from San Francisco, where there was a rain fall yesterday of 2.34 inches.

S. F. Fenton has gone to Atlanta, Ga., to attend the annual convention of the Old Time Telegraphers, of which Mr. Fenton is one of the pioneer members. Mr. Fenton will visit his aged grandmother while east.

Local dealers in an alleged alcoholic remedy have been using the kite method of advertising their wares, with a United States flag attached. The matter will be laid before the county attorney on the ground that this is in violation of the law.

The Federal building will be surmounted by a 44-foot flag pole with a gilded ball at the top. The national emblem will be hung to the breeze with due solemnity by Contractor Campbell next week. The main steel pillars have been enclosed in terra cotta casing so that in event of a fire the heat cannot reach the pillars and cause them to collapse.

The regular monthly meeting of the officers of the Y. L. M. I. A. of Liberty street will be held in the Second ward meetinghouse Monday, Sept. 26, at 7:30 p. m.

LOTTIE P. BAXTER, MARGARET M. CANNON, EMILY H. HIGGS, Presidency.

## PERSONALS.

A. B. Moss of Idaho is at the Kenyon from Payette.

D. V. Barkalow, the railroad news dealer, is registered at the Knutsford.

Joseph Stegel arrived from Butte this morning, and is at the Knutsford hotel.

Leslie E. Dillingham of the Mackay, Ida., Telegraph, is at the Wilson with his bride.

Jacob Swart, formerly an architect in this city, now located at Albuquerque, N. M.

Mrs. Annie Anderson White underwent an operation for appendicitis at St. Mark's hospital yesterday.

Harold S. Daynes, of the Romney & Daynes music company, has gone to the St. Louis exposition.

C. M. Neuhausen has gone to Denver to confer with local contractors about work on the Catholic cathedral.

Sergt. C. F. Bellemere of D company, First infantry, leaves next Tuesday, on a month's business trip in the east.

Dr. S. J. Uiman and wife have gone to the City of Mexico, from whence they will take a trip to South America.

Judge C. E. McLaughlin of Plumas county, Cal., is in the city, the guest of his old friend J. S. Bradford. He will remain here several days.

George W. Barrett and Midshipman R. H. Smith go east tomorrow. Mr. Barrett to resume his art studies in New York, and Mr. Smith to report for duty at Annapolis.

Clarence McFadden left today to resume his studies at Boston university, where he is specializing in law. He has finished two years of the course, and will graduate in June next.

PERSONALS.

W. H. Petty of Logan who has been in the employ of the Oregon Short Line for 15 years past is in town on his way to Chicago where he goes to enter a dental college. Mr. Petty is an ambitious student who has felt that there was better opportunity in one of the professions than in railroading, and he accordingly made up his mind to go east and equip himself as a dental surgeon.

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**Hood's Pills**

And take a dose, from 1 to 4 pills. You will be surprised at how easily they will do your work, cure your headache and constipation, loosen the liver and make you feel happy again. 25 cents. Sold by all medicine dealers.

## MARCUS BROWN BURIED TODAY.

Nothing of Criminal Nature Discovered in Relation to the Boy's Death.

## SOME NEW DEVELOPMENTS.

Boys Made a Fire for Light and Smoke May Have Forced Young Brown Back Into the Tunnel.

The funeral of Marcus Brown, the 8-year-old son of Mr. and Mrs. Wiley Brown, who was drowned in the tunnel on North Temple street Wednesday night, is being held this afternoon at 4 o'clock at the family residence, 83 Third street. The body was in such a condition that it could not be preserved longer.

The police have made a careful investigation into the causes that led up to the boy's death, and up to this time there is nothing to indicate any criminal action on the part of the unfortunate boy's playmates.

One feature connected with the boy's entrance to the tunnel was not heard until last evening. That is that the boys made a fire in the tunnel, presumably for the purpose of giving light, and that the smoke may have prevented Marcus from getting out of the tunnel, and forced him back until he got where the water was deep and swift.

The police say, however, that there is nothing to indicate that the fire was made with the intention of forcing young Brown back into the fatal trap.

All the boys who saw Marcus in the tunnel declare that when they left for their respective homes, they supposed that young Brown had gone home, and they did not suspect that he was still in the tunnel.

Mrs. Brown, the boy's mother, has been ill for some time, and the shock caused by her son's death has almost prostrated her. In fact, her condition has been such that only her most intimate friends were permitted to see her.

## BOLD DAYLIGHT ROBBERY IN SAN FRANCISCO

San Francisco, Sept. 23.—Compelling two clerks to go into a room at the point of a revolver to be made prisoners, a masked man today took a suit case containing \$4,400 and records and papers belonging to the Central Grain & Stock exchange at 20 Lombard street and then made his escape.

F. J. Flynn and H. T. Hearny are clerks employed by the exchange and they were carrying the suit case containing the gold, silver and papers into the office through a passage way in the rear of the office building. They were confronted by the robber. His revolver caused them to obey his commands. The thief was hidden behind a partition so that he could not be seen until a person was within a few feet of him.

He showed perfect familiarity with the premises, and the police who are



They enjoy and demand all the little earmarks of style—the slightly longer coat, higher roll collar, the broad concave shoulder, and the long and somewhat broader lapels. Single and double-breasted, in all the new brown colorings, as well as in the standard blacks, blues, grays, checks and stripes.

**SUITS.**  
**\$10 to \$35.**



61-63-65 MAIN ST.

working on the case think they have a good clue to his identity.

It is customary for these two clerks to carry the suit case to the safe deposit department of the Union Trust company, Market and Montgomery streets every night and return in the morning. Before their arrival the place is cleaned out by an Italian, and it was through a door left open by him that the robber slipped in. As the clerks entered they heard a man in the command: "Hands up." They turned around and saw the robber, who was wearing a mask made from a brick wall with large wire nails, which had recently been nailed there.

"March with that suit case to that step half way down the hall there," ordered the robber.

The clerks were instructed to drop the suit case and then move forward. They were forced to go into a toilet room, and getting them there the robber took a piece of cord and tied their hands to a hook which had been made in the brick wall with large wire nails, which had recently been nailed there.

With the clerks and janitor tied in the room the robber took the suit case and departed. Presumably he had some conveyance near at hand. The two clerks released themselves after some trouble and notified the police of the robbery.

## Russian Grain Exports.

St. Petersburg, Sept. 23.—Grain exports are increasing at all Russian ports, especially the exportations of wheat to England.

## President at His Desk.

Washington, Sept. 23.—President Roosevelt appeared today at his desk in the executive offices. The cabinet meeting today was devoted principally to an informal discussion of the political situation. Only four members were present.

## Strikers Shoot a Guard.

Pittsburg, Pa., Sept. 23.—G. W. Eldar, a deputy, guarding the property of the

abest, whose reign to this day is the most glorious and important among those of all the monarchs of Great Britain. What reign is the most splendid in the history of Russia, where the miserable Salla law is now in force? That of Catherine the Great.

In our land, who wrote the book that has had the widest circulation and made the most profound impression? A woman. Harriet Beecher Stowe. Who has accumulated one of the greatest fortunes ever amassed even in America? A woman. Mrs. Betty Green: that, too, without ever having been charged with bankrupting another to get it. And, finally, a woman. Miss Pretty of Washington, can turn out more copy on the typewriter than any other person on the planet today.

It is true not many women have done these things; but, on the other hand, not many women have tried to do them—just enough to show that wherever woman takes a hand in earnest she can beat man in what he has come to consider his own field.

Man invented politics, with all the word implies. He is welcome to it. He also invented war. It has been said that woman must not vote because she cannot fight. No, heaven be praised, she mostly cannot except as Joan of Arc fought. Woman arbitrates. The wanton, fiendish murder of billions of innocent human beings can never be laid at her door.

## TABITHA SOURGRAPES.

A CHARMING ROBE DE CHAMBRE.

In the winter wardrobe is always included a lounging gown or robe de chambre, and the charming negligee illustrated will be a thing of beauty as

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DESERET NEWS COSTS  
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RIGHT GOOD SHARE OF THE  
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SUGGEST  
THAT NOW IS THE  
TIME TO MAKE THE  
ENDEAVOR.**

well as a joy to the possessor. The robe is made of mauve voile trimmed with silk of a paler shade. This pale mauve silk forms the large collar, epaulets and sleeve bands and also the graceful revers on the skirt. The collar and sleeve bands are daintily embroidered in a chrysanthemum design.

Pittsburg steel company's plant at Glassport, Penn., was lately shot in a riot which broke out between about 25 strikers and the same number of men employed in the mill and deputies. William Stewart and George Carl, non-union men, employed in the plant, were badly beaten with clubs and stones before they were able to get inside the mill. There was an exchange of fire from 25 to 40 shots before the deputies succeeded in scattering the strikers.

The strike has been in progress for several months and trouble has arisen a number of times.

## BUSINESS NOTES.

The special meeting of the stockholders of the Fremont County Sugar company occurs tomorrow at 2 o'clock, the purpose of the meeting being to pass on the question of enlarging the capital of the company from \$750,000 to \$1,000,000. As all the large shareholders are known to favor the proposition, there is no question of its being adopted.

The new crop of sugar began to pour into the market from Lehi and Ogden last night, and the first cars of the new product were sent out to various points this morning.

Today's local bank clearings amounted to \$514,777.45, as against \$468,008.29 for the same day last year.

Bradstreet's agency reports local commercial conditions obtaining in this city for the week ending last evening as follows: "A marked tendency toward conservative treatment of credits by local wholesalers is the distinguishing feature of the opening fall trade, which it is believed holds more promise than has obtained in many years. Retailers generally report improvement and collections are better."

O. A. Honnold has bought a \$3,500 residence from A. H. Adkinson, through Little & Little, on C. near Third street.

## AFTERNOON ON 'CHANGE.

Con. Mercur and New York Bonanza Both Higher.

Con. Mercur displayed more strength this afternoon and recorded a sale at 31 cents. New York Bonanza advanced to three cents. The closing quotations and sales were:

Con. Mercur, 1,000 at 31;  
May Day, 2,000 at 7 3/4; 4,300 at 7 3/4; 1,000 at 7;  
Sacramento, 1,000 at 14;  
New York Bonanza, 1,000 at 2 3/4; 2,000 at 2 3/4; 2,000 at 3;  
Little Chief, 1,000 at 1 3/4.

## NEW YORK CLOSING STOCKS

Friday, Sept. 23, 1904.

Atchafalpa	32 1/2
Atchafalpa	32 1/2
Baltimore & Ohio	88 1/2
Canadian Pacific	127 1/2
Chicago & Alton	81
Chicago & North Western	134 1/2
Chicago Southern	12 1/2
Denver & Rio Grande	32 1/2
Denver & Rio Grande Pfd	52 1/2
Erie	30
Illinois Central	122 1/2
Louisville & Nashville	102 1/2
Manhattan	123 1/2
Metropolitan St. Ry. ex-div	120
Mexican Central	12 1/2
Missouri Pacific	95 1/2
New York Central	120 1/2
Pennsylvania	107 1/2
Reading	68 1/2
Rock Island	27
Rock Island Pfd	70
St. Paul	107 1/2
Southern Pacific	24 1/2
Southern Railway	32 1/2
Union Pacific	101
United States Steel	20 1/2
Wabash	20 1/2
Wisconsin Central	18 1/2

## MISCELLANEOUS.

Amalgamated Copper	57 1/2
American Car & Foundry	23
American Locomotive	25 1/2
American Smelting & Refining	107 1/2
Am. Smelting & Refining Pfd	25 1/2
Brooklyn Rapid Transit	34 1/2
Colorado Fuel & Iron	34
International Paper	41 1/2
National Biscuit	47 1/2
National Lead	23 1/2
Northern Securities	13 1/2
Pacific Mail	34
People's Gas	30 1/2
Pressed Steel Car	32
Pulman Palace Car	24
Standard Oil	63 1/2
Sugar	120
Tennessee Coal & Iron	45 1/2
United States Steel	20 1/2
United States Steel Pfd	20 1/2
Western Union	90 1/2

## DIED.

WILSON.—At 140 west Second North street, this city, Sept. 22, Douglas L. infant son of Mr. and Mrs. Douglas C. Wilson, aged four months.

Funeral services will be held Saturday at 11 a. m. from residence. Friends are invited to attend.

SMITH.—At No. 4 Fairmount avenue, this city, Sept. 22, 1904, of pneumonia, Joseph Smith, native of England, aged 75 years.

Funeral services will be held Sunday at 12 noon from the Second ward meetinghouse. Friends are invited to attend and can view the remains at the meetinghouse from 11:15 a. m. to 12 noon on day of funeral.

PRISCOTT.—In this city, Sept. 23, 1904, of general debility, Mary Priscott, aged 75 years.

Funeral from the residence of W. J. Ridd, 42 north Sixth west street, Sunday, at 12 o'clock noon.

American, \$2.50 to \$4.00.

The *Memor* Hotel.

European, \$1.00 to \$3.00.

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\$15 in Green Trading Stamps with each \$3 Waist purchased.

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